

REMARKS

Claims 1-15 are all the claims pending in the application. By this Amendment, Applicant adds claims 16-19, which are clearly supported throughout the specification.

I. Preliminary Matters

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and for indicating receipt of the certified copy of the priority document.

Applicant thanks the Examiner for returning the initialed form PTO/SB/08 submitted with the Information Disclosure Statements filed on January 5, 2005 and May 16, 2006.

Applicant notes the Examiner's comments that Cite Nos. 1-5 of the Information Disclosure Statement filed on January 5, 2005 fails to comply with 37 C.F.R. § 1.98(a)(3) because it does not include a concise explanation of the relevance and therefore, these references have not been considered. Applicant respectfully requests the Examiner to initial the appropriate boxes on the form PTO/SB/08 indicating that the cited references have been reviewed. The Examiner should initial the references because the concise explanation requirement for foreign references under 37 C.F.R. § 1.98(a)(3) has been satisfied. The relevant portions of MPEP § 609 (page 600-122) states:

"Where the information listed is not in the English language, but cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report."

Applicant enclosed a copy of the German Office Action with an English translation of the pertinent portions, which cited the filed references. As a result, it was improper for the Examiner not to initial the references. Therefore, Applicant respectfully requests the Examiner to initial form PTO/SB/08 filed on January 5, 2005. For Examiner's convenience, form PTO/SB/08 A & as filed with the USPTO is enclosed.

In addition, Applicant respectfully requests that the Examiner indicate acceptance of the drawing figures filed on September 30, 2003.

II. Summary of the Office Action

Claims 1-15 presently stand rejected. Claim 5 is rejected under 35 U.S.C. § 112, second paragraph and claims 1-15 are rejected under 35 U.S.C. § 103(a).

III. Claim Rejection under 35 U.S.C. § 112

Claim 5 is rejected under 35 U.S.C. § 112, second paragraph. Applicant respectfully thanks the Examiner for pointing out, with particularity, the aspects of the claim thought to be indefinite. Applicant respectfully requests the Examiner to withdraw this rejection in view of the self-explanatory claim amendment being made herein.

IV. Prior Art Rejections

Claims 1, 2, and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,871,179 B1 to Kist et al. (hereinafter "Kist") in view of U.S. Patent No. 6,937,984 B1 to Morgan et al. (hereinafter "Morgan"). Applicant respectfully traverses these grounds of rejection in view of the following comments.

Independent claim 1 recites *inter alia*: "entering the function of the instruction as a verbal input via the voice recognition system, acknowledging the verbal input of the function of the

instruction via the manual input, and after said acknowledging, entering the parameters of the instruction as a further verbal input via the voice recognition system.”

That is, in an exemplary, non-limiting embodiment of the present invention, an improved technique for creating analog programs such as ladder diagrams is provided. In particular, in creating analog electric circuit diagrams, a large number of control commands must be entered instead of continuous text. This requires the selection as well as the arrangement and linkage of different control elements, which is accomplished by means of successive instructions that the computer has to recognize and execute correctly. Since most of such instructions have parameters, it is not normally possible to define a complete statement within which the desired function including the parameters would then have to be found in the conventional techniques. Rather, especially in the creation of programs, variables are frequently used, which relate to the corresponding application and therefore expand the instruction vocabulary to include almost the entire language vocabulary and more. The correct understanding and the correct processing of functions, parameters, data and variable names in the creation of programs has so far presented an input-related problem in conventional techniques.

According to an exemplary, non-limiting embodiment of the present invention, however, a sequenced operation is provided, where first a command is input via voice and the user manually presses an enter button to designate end of the command. Once the command is recognized, additional information such as parameters that may be required for this command is found and the system waits for further user input of these parameters. When the parameters are input (via voice and enter button), they are interpreted in accordance with the obtained format of the required additional information. Accordingly, the analog programs such as ladder diagrams may be created more efficiently via voice input.

It will be appreciated that the foregoing remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claims mentioned above.

The Examiner contends that Kist discloses inputting via voice function and parameters. The Examiner acknowledges that Kist does not disclose or suggest acknowledging verbal input via manual input but alleges that Morgan cures the above-identified deficient disclosure of Kist (*see* pages 3 and 4 of the Office Action). Applicant respectfully disagrees. Applicant respectfully submits that the combined disclosures of Kist and Morgan do not disclose or even remotely suggest inputting function and parameters separately, where the verbal input of the function is acknowledged via manual input.

Kist discloses a process to distinguish between dictation and commands. In particular, Kist discloses a method and a system for recognizing and executing a voice command that has a dictation portion. Upon receiving user input, the spoken utterance is processed to identify a pattern of words which matches a pre-determined command pattern. Then, the computer system command is identified that corresponds to the pre-determined command pattern and has at least one parameter. The parameter is extracted from a dictation portion of the spoken utterance which is separate from the pattern of words matching the command pattern. The computer system command is then processed to perform an event in accordance with the parameter. If the spoken utterance does not contain a pattern of words matching a pre-determined command pattern, then the spoken utterance is recognized as dictation and inserted at a specified location into an electronic document or other system or application software (*see* Abstract, col. 2, line 56 to col. 3, line 24; col. 7, lines 42 to 60).

Kist, however, does not disclose or even remotely suggest having the command and parameters being input separately. In Kist, the system receives user input corresponding to the spoken utterance and this input is parsed so as to obtain the command and parameters if they are present in the spoken utterance. In other words, Kist does not disclose or even remotely suggest inputting via speech the parameters and commands separately. Furthermore, Kist does not disclose or even remotely suggest, as acknowledged by the Examiner, acknowledging via manual input receipt of the command, and only after the acknowledgement, receiving the parameters.

The Examiner contends that Morgan cures the deficient disclosure of Kist. Morgan, however, clearly teaches away from having manual confirmations. Specifically, Morgan states in col. 2, lines 16 to 36:

Many of the deficiencies in speech recognition, both in word processing and in command technologies, are due to inherent voice recognition errors due in part to the status of the technology and in part to the variability of user speech patterns and the user's ability to remember the specific commands necessary to initiate actions. As a result, most current voice recognition systems provide some form of visual feedback which permits the user to confirm that the computer understands his speech utterances. In word processing, such visual feedback is inherent in this process since the purpose of the process is to translate from the spoken to the visual. That may be one of the reasons that the word processing applications of speech recognition have progressed at a faster pace. In any event, in all voice recognition systems with visual feedback, at some stage, the interactive user is required to make some manual input, e.g. through a mouse or a keyboard. The need for such manual operations still gets in the way of interactive users who, because of a lack of computer skills or other reasons, wish to relate to the computer system in a fully

voice activated or conversational
manner... (emphasis added) .

In other words, one of the problems, Morgan's invention attempts to resolve is requiring manual input via mouse or keyboard. In fact, Morgan states that "[m]anual I/O devices, such as the keyboard and the mouse, are shown primarily because they may be used for ancillary I/O functions not related to the present invention, which uses primarily spoken commands" (col. 4, lines 5 to 8). In short, as is clear, Morgan fails to cure the deficient disclosure of Kist. Morgan does not disclose or even remotely suggest inputting via speech the parameters and commands separately. Furthermore, Morgan does not disclose or even remotely suggest acknowledging via manual input receipt of function, and only after the acknowledgement receiving the parameters.

Therefore, "entering the function of the instruction as a verbal input via the voice recognition system, acknowledging the verbal input of the function of the instruction via the manual input, and after said acknowledging, entering the parameters of the instruction as a further verbal input via the voice recognition system," as set forth in claim 1 is not disclosed by the combined disclosures of Kist and Morgan, which lack inputting via speech the parameters and commands separately and inputting parameters for the functions after manual input of an acknowledgement of the command. For at least these exemplary reasons, claim 1 is patentable over Kist in view of Morgan. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 1 and its dependent claim 2.

Next, independent claim 8 recites features similar to, although not necessarily coextensive with, the features argued above with respect to claim 1. Therefore, arguments presented with respect to claim 1 are respectfully submitted to apply with equal force here. For

at least substantially analogous exemplary reasons, therefore, independent claim 8 is patentable over Kist in view of Morgan.

Claims 3-5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kist and Morgan in view of U.S. Patent No. 6,510,414 B1 to Chaves (hereinafter "Chaves"), claims 6, 7, 9, 11, and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kist and Morgan in view of U.S. Patent Publication No. 2002/0055844 A1 to L'Esperance (hereinafter "L'Esperance"), and claims 12-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kist, Morgan, and L'Esperance in view of U.S. Patent Publication No. 2002/0123893 A1 to Woodward (hereinafter "Woodward"). Applicant respectfully traverses these grounds of rejections in view of the following comments.

Claim 3-7, 9, and 11-15 depend on claim 1 or 8. Applicant has already demonstrated that the combined teachings of Kist and Morgan do not meet all the requirements of independent claims 1 and 8. Chaves, L'Esperance, and Woodward fail to cure the deficient teachings of Kist and Morgan. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claims 1 and 8. Since claims 3-7, 9, and 11-15 depend on claim 1 or 8, they are patentable at least by virtue of their dependency.

V. New Claims

In order to provide more varied protection, Applicant adds claims 16-19, which are patentable by virtue of their dependency and for additional features set forth therein.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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